

DETAILED ACTION

Amended claims 11-13 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The original claims and the current claims are directed to different inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. The original claims were drawn to a caterpillar traction apparatus and method of feeding a linear member using the caterpillar traction apparatus. The current claims (11-13) in the application are directed to a method of processing a polymeric tubular member including the use of a caterpillar traction apparatus as a subcombination. The inventions do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

The original claims (to the caterpillar traction apparatus and method of feeding) lack a special technical feature because the caterpillar traction apparatus and corresponding feeding method are known or obvious from the prior art as indicated in the previous Office action. Since the caterpillar traction apparatus of the current claims is not a special technical feature, the only remaining technical features of the current claims that may be a special technical feature are the features of forming a polymeric tubular member such that there is tensile strain energy stored in it and changing the tensile strain energy stored in it. The original claims do not include these technical features. Therefore, the two inventions lack the same special technical feature.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. See 37 CFR 1.142(b) and MPEP § 821.03.

Since the amendment filed on 5/21/10 cancelled or otherwise eliminated all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention, it is non-responsive (MPEP § 821.03).

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT HAUGLAND whose telephone number is (571)272-6945. The examiner can normally be reached on Mon. - Fri., 10:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mansen can be reached on (571) 272-6608. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3654

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael R Mansen/
Supervisory Patent Examiner, Art Unit 3644

/SJH/